

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**WANDA CONNER, Individually and as the  
Representative of the Wrongful Death Beneficiaries  
of TERRY MARCHBANKS,**

**PLAINTIFF,**

**VS.**

**CIVIL ACTION NO. 4:06CV80-P-B**

**HARDWARE DISTRIBUTION WAREHOUSES, INC.,**

**DEFENDANT.**

**ORDER**

This matter comes before the court upon Plaintiff's objection to U.S. Magistrate's July 7, 2007 Order denying Plaintiff's Motion to Compel [94]. After due consideration of the objection, the court finds as follows, to-wit:

Pursuant to Federal Rule of Civil Procedure 72(a), the district judge to whom the case is assigned shall consider objections to, or appeals of, a non-dispositive ruling by the U.S. Magistrate Judge on a clearly-erroneous or contrary-to-law standard. Having considered the U.S. Magistrate Judge's July 7, 2007 Order denying the Plaintiff's motion to compel production of a piece of the subject skylight, as well as the Plaintiff's original motion and her objections to the U.S. Magistrate Judge's ruling, the court concludes that the Plaintiff has not demonstrated that said ruling was clearly erroneous or contrary to law.

**IT IS THEREFORE ORDERED AND ADJUDGED** that Plaintiff's objection to U.S. Magistrate's July 7, 2007 Order denying Plaintiff's Motion to Compel [94] is **OVERRULED**.

**SO ORDERED** this the 4<sup>th</sup> day of September, A.D., 2007.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE